

“Ich stehe zu Gregor Gysi”

Gregor Gysi and the Ministry for State Security

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Introduction: The Atmosphere of Destasification

East Germans were more than cognizant of the Stasi's activities before the release of secret Stasi files after November 1989. While most Germans could at least understand local dialects, East Germans had an extra language, namely, the one spoken when dealing with strangers. Hamburg's weekly *Die Zeit* included a column devoted to exploring the satirical world of East German double-talk. Singer, song-writer, and East German dissident, Wolf Biermann built his reputation around this unique form of communication — leading to his expulsion from the German Democratic Republic (GDR) in 1976. The illusion of exclusion from the tentacles of the Stasi burst with the first review of individual files. Within these files, individuals discovered how close friends and often family members stood alongside complete strangers in providing the Stasi with excruciating details about one's personal and professional life. Germans also learned of the fate of political prisoners who disappeared after being last seen in the custody of Stasi officials. Most Germans agreed to an intense investigation to identify those officials responsible for ruining careers for political favors, conducted political show-trials, who gave border troops shoot-to-kill orders, and robbed East Germans of the product of their labor.¹

East German reformers demanded an investigation into the Ministry for State Security (MfS) during round-table discussions with the government in December 1989. The all-pervasive nature of the MfS inspired post-Communist reformers to interpret the dissolution of MfS as a “sozialethische Aufgabe.” While the Office for National Security's (the MfS's successor) dissolution proved relatively easy, neither vigilantism against former Stasi officials and collaborators, or a future reconstruction of the MfS would be tolerated. As the pressure increased, reformers contemplated simply destroying the files. In August, the Volkskammer directed state officials to ensure public access to the files after reunification. According to the last-minute

compromise reached by East and West German negotiators, East Germany's history would not be allowed to disappear within walls of a new bureaucracy or behind privacy laws. Eventually, two agencies would oversee the handling of the Stasi files, namely, the Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik directed by Joachim Gauck (thus, the so-called Gauck-Behörde or Gauck Commission) and the Bundestag's commission under Rainer Eppelmann. The Gauck Commission's origins began with the Volkskammer's "Gesetz über die Sicherung und Nutzung der personenbezogenen Daten des ehemaligen Ministeriums für Staatssicherheit /Amtes für Nationale Sicherheit" of August 1990. Through this act, the Volkskammer hoped to ensure the continued "politische, historische und juristische Aufarbeitung der Tätigkeit" of the Stasi. Last minute reunification negotiations ensured the continuity of this enterprise with the naming of Joachim Gauck as "Sonderbeauftragten der Bundesregierung."²

The intensity increased with the passing of the Stasi-Unterlagen-Gesetz (Law on Stasi Files) of December 19, 1991. This piece of legislation eased access to Stasi files beginning on January 2, 1992, when the law took effect. Originating in the Bundestag, this legislation set up a commission of enquiry to investigate the history and consequences of the Socialist Unity Party's (SED) dictatorship. In a five-hour debate, Bundestag representatives made clear what importance it attached to the subject. Wolfgang Schäuble, Chancellor Kohl's closest advisor, outlined the government's intention to study former East German power structures, particularly those of the MfS. In its motion the SPD called on the commission to "illuminate in a general valid or exemplary manner the dictatorial power structures and repression mechanisms of the SED and their effect on the behavior of people in East Germany from 1945 until the peaceful revolution (of 1989)." The Social Democrats concentrated on unraveling "the de facto power hierarchy, the

structure and working of the SED machinery,” the Stasi’s covert repression mechanisms, the legal and penal system, and the way in which the borders were guarded. These efforts would reveal the truth about "life in a dictatorship," such as political persecution, fellow-travelers, conformism, and



lethargy. The chairman of the commission, Christian Democrat Rainer Eppelmann, was a well known civil rights activist and founder-member of the GDR’s Demokratischer Aufbruch party.³

Public Illusions

When East Germans first stormed the MfS headquarters in Berlin (mid-January 1990), Leipzig, and elsewhere, they expected to find evidence of the lavish life-style enjoyed by the political and privileged elites. They found nothing. When rumors circulated about Stasi gold smuggled to Switzerland, German government and police authorities were inundated with questions from the public and leading journalists.⁴

Removing and Prosecuting Stasi Collaborators

High ranking-officials often fell into political oblivion when identified as Stasi collaborators by the Gauck Commission and German society divided over the need of a “politisches Tribunal.” By December 1991, the Gauck Commission had already evaluated more than 300,000 individuals at the request of state and federal authorities. Of the early casualties, East Germany’s first freely elected Prime Minister, Christian Democrat Lothar de Maiziere, lost his post as did Social Democrat opposition leader, Ibrahim Böhme. The trials of Erich Honecker and Erich Mielke, however, made many Germans question the wisdom of prosecuting anyone based on evidence taken from the Stasi files.⁵

Who is Gregor Gysi?

Born in Berlin in 1948, Gysi pursued a vocational education in cattle breeding in Blankenfelde. Completing his Abitur in 1966, Gysi followed in his father's footsteps studying law until 1970 at Berlin's Humboldt University and completed his doctorate in 1976. Gysi's reputation unfolded with his defense of leading members of the intellectual opposition to the Honecker regime, including Robert Havemann, Rudolf Bahro, and Bärbel Bohley.⁶ In the twilight years of the Erich Honecker's GDR, Gysi chaired the Kollegium der Rechtsanwälte. Shortly after the opening of the Berlin Wall, Gysi moved into politics. Gysi emerged as the new young chairman of the SED/PDS (Party of Democratic Socialism) from December 1989 through January 1990 and later with the PDS until January 1993. During the brief history of post-Communist rule in the GDR, Gysi remained a member of the Volkskammer and chairman of the PDS fraction. Following the dissolution of the Volkskammer on October 2, 1990, Gysi served in the Bundestag as chair of the PDS group.⁷ Gregor Gysi's self-styled "Gysis bunte Truppe" enjoyed the image of a modern, dynamic, and young, political party. A political survivor of die Wende, Gysi transformed the SED into the Party of Democratic Socialism and represented it into the new Bundestag since 1990.⁸

Who is Bärbel Bohley?

A civil rights activist in the former GDR, Bohley played a central role in the founding of Neues Forum in September 1989. According to Konrad Jarausch, she also joined with Lothar de Maizière and "testified to his [Gysi's] personal integrity" – prior to her discovery of Gysi's links with the MfS. Born on May 24, 1945, Bohley completed her Abitur in 1963 and subsequently pursued a career in fine arts, namely, painting, at the Kunsthochschule in Berlin-Wannsee. Known in the West for her accomplishments as an artist, she also contributed to the IX. Kunstausstellung der DDR in 1982-1983 hosted in Dresden. Bohley's political activities took off

in 1982 when she participated in founding the “Frauen für den Frieden” which resisted the decision of the East German Council of State (Staatsrat) to incorporate women into the National People’s Army. Bohley’s politics also attracted the attention of supporters of the peace movement in the West as well as the MfS back home. Along with Ulrike Poppe, Bohley served six weeks in prison in 1983 for “Verdachts auf landesverräterische Nachrichtenübermittlung.” Released in response to international pressure, GDR authorities denied Bohley any opportunity to display her art, travel, or earn a living. Alongside Katja Havemann, Bohley worked at a private ceramic business. Politically active again in 1985, Bohley became an active participant in the civil rights movement within the GDR. Arrested in January 1988 and subsequently, Bohley assumed residence in Great Britain until her return to Berlin in August 1988.⁹

Gysi versus Bohley

The central foci of this paper are the materials which were circulated by Neues Forum in Berlin and Potsdam regarding Gregor Gysi’s links to the MfS (or Stasi) and subsequently publicized materials. The aforementioned materials included the court decision of May 19 in the case of Gysi gegen Bohley, the May 26 Gauck Commission report, and various public statements which appeared thereafter. These materials reveal the extent to which the facts of this case have never been presented in their entirety, namely, the nature of the evidence submitted by the Gauck Commission report and, arguably, the truth of Bärbel Boley’s accusation. It is within this context that we must understand the case of Gysi versus Bohley.

The Opening Salvos of Gysi gegen Bohley, 1993-1995

When civil rights activist Bärbel Boley denounced PDS-Representative Gregor Gysi as a Stasi-spy (“Stasi-Spitzel”) in an interview with the Berliner Zeitung on November 18, 1993.

.. Ja, so hätten wir damals den Prozeß der Genugtuung für die Opfer einleiten müssen. Aber wir wollten ja eine `friedliche' Revolution und haben uns lieber [sic?] mit den Stasi-Spitzeln an den runden Tischen rungedrückt (Böhme, Schmur, de Maizière, Gysi und ale, die noch nicht enttarnt sind). ...

Gysi responded by taking the issue to Hamburg's high state court (Oberlandesgericht). Bohley would not stand alone. Gysi had also been accused of working with the Stasi (as "IM Notar") by Freya Klier, whose friend had been defended by Gysi in court. Klier informed the magazine taz in October 1994 that Gysi "hat Bürgerrechtler nicht verteidigt, sondern sie bespitzelt, damit seine Genossen sie besser im Griff haben." In February 1995, the Bundestag Committee on Immunity passed a request on to the Gauck Commission for information regarding Gysi's alleged MfS links. As for Klier, the 27th Civil Court in Hamburg decided in favor of Kliers in early 1995. In that judgement, the court interpreted Freya Klier's comments as not constituting statements of fact but as value judgements. Gysi, however, muzzled the discussion by filing an injunction against Klier's "evidence" (Beweise).¹⁰ A similar statement by Bohley, however, would be condemned later in another Hamburg court as violating Gysi's personal dignity (ehraberschneidend).¹¹

Court records reveal the nature of the argument made and the evidence presented in the case of Gysi against Bohley. After outlining Bohley's public accusations against Gysi, the court interpreted Bohley's statements as qualitatively distinct from those of Klier. Similarly, the court interpreted Manfred Stolpe's situation as distinctly different as Stolpe had been accused of "cooperating with the MfS." Evidence allegedly supporting Bohley had been found by the Gauck Commission. Several documents originated in the MfS's Hauptabteilung XX covering a period running from roughly 1979 through 1981. These documents included details of conversations (some taped by the MfS as well) between "Notar" and his client, Robert Havemann, and, later,

Havemann's widow, which were allegedly passed to the MfS by "Notar." "Notar" received 45,10DM for his efforts. "Notar" appeared to be none other than Gregor Gysi.¹²

The court did not agree with the conclusions drawn. First, the reports were not clearly authored by Gysi but possibly by another unknown party. Second, "Notar" constituted only one of several code names found in the aforementioned documents. The individual behind this code, namely, "Notar," remained uncertain. Third, information provided by two former Stasi officers, specifically, Major Günther Lohr and Lieutenant-Colonel Wolfgang Reuter, lacked the "erforderlichen Eindeutigkeit" to couple Gysi with the accusation that he had spied for the Stasi. In conclusion, the court interpreted the evidence against Gysi as entirely circumstantial.¹³ Consequently, on May 19, 1995, Judge Harald Ficus, speaking for the Hamburg court, interpreted Bohley's statement as constituting an intended statement of fact and demanded that Bohley provide evidence of Gysi's spying for the Stasi or cease and desist. Failure to do so would result in a fine of up to 500,000 DM or jail time not to exceed two years for each infraction.¹⁴ Furthermore, Bohley would have to cover court costs assessed at 20,000 DM.¹⁵

The court's decision can be explained by briefly reviewing its understanding of the case being tried. The court understood its purpose to be to test

ob die in den Werturteilen 'bespitzeln' und ... enthaltenen Tatsachenbehauptungen, daß die Kl. Unternehmenskritiker beobachten ließ und ... zutreffen oder jeden Anhaltspunkt aufgestellt worden sind.

The most significant impediment to a decision favoring Bohley entailed defining the question of what "'bespitzeln' bezeichnet, so kommt darin vor allem ein Unwerturteil des Sprechers über die Art und Weise der Beobachtungen zum Ausdruck." Under these conditions and given the cryptic nature of MfS reports, Bohley's odds of a favorable ruling were arguably limited at best.¹⁶

The Second Gauck Commission Report, May 26, 1995

In response to the Bundestag's Committee on Immunity's (Ausschuß für Wahlprüfung, Immunität und Geschäftsordnung) inquiry of February 9, 1995, the Gauck Commission initiated an investigation into the links between Gysi and the MfS. Once the Gauck Commission completed its report on May 26 and released it on June 2, 1995, Gysi's parliamentary immunity came into question. According to the Commission, Gysi acted against the best interests of civil rights activists whom he had represented before the East German courts. Specifically, Gysi had passed important information onto the MfS which he gleamed from private conversations with his clients, the defendants during the period from 1975 through 1989. According to the report,

Die aufgefundenen Unterlagen legen den Schluß nahe, daß Dr. Gysi als anwaltlicher Vertreter von oppositionelle Bürger die Interessen des MfS mit durchzusetzen half und mandatsbezogene Informationen an das MfS weitergab.

MfS documents clearly indicated that Gysi informed the MfS of his conversations with Bahro in Bautzen on December 2, 1978, as well as Gysi's role in undermining the influence of civil rights activist Robert Havemann in 1980. According to the report, Gysi's provided his MfS contact officers with detailed information on his clients throughout 1978-1988. For example, on April 7, 1981, the MfS directed Gysi to obtain information from Havemann regarding the up-coming 10th Party Conference of the SED and to pay special attention to all negative comments. Gysi reported the results of his conversation with Havemann to the MfS just three days later. This constutes but one of numerous examples included in the Gauck Commission report. Finally, the code names "Gregor," "Notar," and "Sputnik," were all employed by Gysi's MfS contacts, namely, Lohr and Reuter, in reference to Gysi.¹⁷

The Fallout

Expecting the court's bailiff, Hans-Jörg Meyer, to collect on her debt to the court on June 8, Bohley acted on recent media reports and appealed to the Gauck Commission for additional

information relating to Gysi. The Gauck Commission, however, found its efforts snagged on Gysi's challenging the legitimacy of the investigation before the Constitutional Court. Nevertheless, Joachim Gauck took the issue before the Committee on Immunity on June 1. Speaking before the committee, Gauck deplored the fact that Bohley had been silenced by the court at the same moment when his report counted over 400 pages outlining on Gysi's MfS activities. The committee could not discuss the matter publicly. Gysi, on the other hand, could continue his public appeal for support through the press. Gysi wasted little time. During his press conference, Gysi stated: "[I]ch erkläre hiermit offiziell, daß ich zu keinem Zeitpunkt inoffiziell mit der Staatssicherheit zusammengearbeitet habe" as well as: "[I]ch war in meinem Leben in keiner konspirativer Wohnung."¹⁸

Bohley kept the question hot with her statement: "Ich nenne Gysi einen Spitzel." PDS party head, Bisky responded publicly declaring his support for Gysi. Former East German civil rights activists as well as elements of the Christian Democratic Union (CDU), the Free Democrats (F.D.P.), Neues Forum, and Autorenkreis der Bundesrepublik (formerly PEN) called for solidarity with Bohley. While F.D.P. supporters in Berlin-Dahlem set aside 2500 DM for Bohley, Bundestag Representatives Vera Lengsfeld (CDU), Gerald Häfner (Alliance 90/Greens), and Stephan Hilsberg (SPD), were clearly disturbed by Gysi's public pronouncements as undermining any honest and effective investigation of the issues placed before the Committee on Immunity. Their statements from May 31 and June 1, however, clearly indicated their inherent sympathies for Bohley. In her letter of June 1 to Bohley, Katja Havemann denounced the court's judgement as "scandalous" and offered to assist Bohley financially should the need arise. In an open letter dated June 6, Katja also challenged Rudolf Bahro's letter to Der Spiegel of June 5, in which Bahro rejected the possibility that Gysi misrepresented him or violated his trust as his

lawyer. The Autorenkreis der Bundesrepublik focused in on June 8 and the execution of the court's decision. The group's press release called for a moment of reflection upon others, for example, Thomas Mann, who had resisted incorporation into the group of "Täter- und Mittäterschaft zweier deutscher Diktaturen." On June 6, the Gauck Commission added to the treasury of public information by responding to an inquiry from Bohley:

Die Recherchen in den Unterlagen des Staatssicherheitsdienstes haben folgendes ergeben: Der Deckname "Notar" wurde in den Unterlagen des Staatssicherheitsdienstes geführt für

Gysi, Gregor Dr.

Geburtsdatum: 16.01.1948

Geburtsort: Berlin.

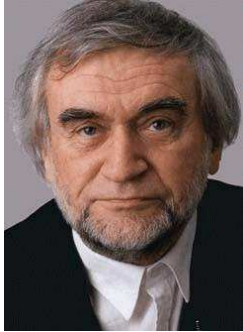
Des weiteren haben die Recherchen eindeutig ergeben, daß zur Person Gregor Gysi auch der Deckname "Gregor" vergeben wurde. Dies ergibt sich unter anderem aus der Verknüpfung der für Dr. G. Gysi vergebenen Reg.-Nr. XV 5647/80 mit den Decknamen "Gregor" für den Vorlauf bzw. "Notar" für die geplante IMS-Registrierung.

In August, Chancellor Kohl added his weight to Bohley's public image by visiting her at her home in Berlin but a few blocks from Gysi's own residence.¹⁹

Gysi blocks the investigation...

Gysi took this issue to the Constitutional Court (Bundesverfassungsgericht). Gysi argued that the investigation into his past and alleged MfS activities had damaged his reputation as a lawyer and impinged his character. When the Constitutional Court acted in late 1996, it did not decide in favor of Gysi but of the agencies in Bonn investigating Gysi's ties to the Stasi. Gysi responded to the decision as if the court had decided in his favor: "Ich fühle mich in meiner Position gegenüber dem Immunitätsausschuß eindeutig gestärkt." However, the decision allowed the Gauck Commission to continue its investigation. Within the documents passed on to the

Committee on Immunity, it became clear "daß Dr. Gysi als anwaltlicher Vertreter von oppositionellen Bürgern die Interessen des MfS mit durchzusetzen half und mandantenbezogene Informationen an das MfS weitergab". Gysi had risen within the MfS as an "wichtigen Person bei



der Bekämpfung des ‚politischen Untergrundes‘ in der DDR." The court underscored the constitutionality of the Bundestag investigation of allegations of Stasi contacts among Bundestag representatives. Given the court's demand that substantial evidence be produced, Gysi proclaimed that "Das Bundesverfassungsgericht hat dem Immunitätsausschuß eindeutig untersagt, sich auf Mußmaßungen zu stützen."²⁰

Gerhard Zwerenz: *"Ich stehe zu Gregor Gysi."*

Returning to the summer of 1995, Gerhard Zwerenz (PDS) took the offensive on June 22, 1995, in defense of the Gregor Gysi, a leading figure in the PDS and fellow parliamentarian. Declaring "Ich stehe zu Gregor Gysi.," Zwerenz traced the crusade against Gysi back to four basic factors. First, Bärbel Bohley and other self-proclaimed former East German dissidents had directed their own political frustrations into a character-assassination campaign against Gysi – a fate experienced by Manfred Stolpe and Hans Modrow as well.²¹ Second, Gysi's drive to revitalize the PDS stood at odds with attempts to efforts to nourish East German feelings of insecurity and shame over the history of the GDR. Third, Zwerenz detected a latent Antisemitism among Gysi's detractors:

Hitlers Kinder rächen sich an Hitlers Opfern. Der Deliquent entstammt einer kommunistisch-jüdischen Familie, die 18 Verwandte im Dritten Reich verlor. Der Kampf geht weiter. Das intrigante Zusammenspiel von Gauck, Bohley und rechten Bundestagsausschußmitgliedern weist, wie Stefan Heym bereits anmerkte. Parallelen zur Affäre Dreyfus auf. Wir werden die Umtreibe protokollieren für die nächste Wende. Sie kommt gewiß in diesem wendereichen Zeitalter.

Fourth and finally, Zwerenz deeply resented the narrow vision behind who constituted a dissident.

Über 30 Jahre hin bis 1989 solidarisierte ich mich ungezählte Male mit den Opfern der Diktaturen. Meine Stasi-Akte ist 33 Jahre lang. Heute nach dieser unfairen Wende solidarisiere ich mit den jetzt Benachteiligten im Osten und besonders mit der PDS.

Es waren Kommunisten, die unter Hitler und Stalin die meisten Opfer bringen mußten. Auch unter Ulbricht und Honecker. Leo Bauier wurde noch zum Tode verurteilt, Harich zu 10 Jahren, Janka zu 5 Jahren Haft. Diese Genossen besitzen das Erstgeburtsrecht der Opposition. Nicht jene paranoiden Revolutionsparodisten, die erst auf Gorbatschows Genehmigung warteten, um sich unterm Kirchendach hervorzuwagen. Ihr Rachegeschrei ist bloße Anmaßung. Was wiegt Bohley's britisches Exil gegen die Verfolgung unseres Genossen Paul Merker. Die jetzt von staatstreuen BRD-Medien als lebenslange Bürgerrechtler gehandelten Spätlinge widerrufen mit ihren Anklagen nur noch den letzten Rest ihrer guten, wenn auch kleinen Vergangenheit.²²

Zwerenz's attack generated additional declarations of support for Bohley. It also signaled a growing rift between former citizens of the GDR -- generally -- over how to deal with the consequences of forty years of state oppression, but specifically over the use of the files of the former Ministry for State Security.

Ralph Giordano's Response to Zwerenz: "Ich stehe zu Bärbel Bohley"

Ralph Giordano's response to Zwerenz appeared in the columns of the Berliner Zeitung on June 28, 1995. Contemporary Germans distanced themselves from responsibility for the former Ulbricht and Honecker regimes by comparing them with Hitler's Third Reich. But Giordano also detected in the Gysi-Bohley controversy a parallel with the events after 1945, namely, the sudden disappearance of all actors (Tätern) in a sea of victims (Opfern). Where Bohley symbolized those who suffered under the oppressive East German state apparatus, Zwerenz demanded recognition for the Communists who perished under Hitler and Stalin.²³

Giordano's sympathies quickly became apparent. Zwerenz's allusions to the Holocaust evoked a harsh cord from Giordano:

Ich verwehre mich ferner gegen diesen weiteren Versuch, den Völkermord an den Juden im deutsch besetzten Europa während des zweiten Weltkrieges als Kronzeugen für abermalige deutsche Verdrängungsakrobatik zu instrumentalisieren und zu verfälschen!

Giordano saved his most critical comments for his conclusion. Just as had been the case after 1945, since 1989/1990 the victims of oppression – Zwerenz’s “lebenslange bürgerrechtliche Spätlinge” – found themselves on the defensive. For Giordano there could be but one correct moral choice: “für die Opfer und gegen ihre Verfolger.”²⁴

Other allies for Gysi ... Stolpe

Pursuing additional allies, Gysi linked up with Manfred Stolpe, Brandenburg’s Minister-President, who also stood accused of cooperating with the MfS but remained politically alive with the assistance of the PDS. Stolpe evaded the consequences of his MfS files by questioning the reliability of MfS reports. In this case, Stolpe used his contacts in the SPD, namely, Peter Struck, to convey his wish to the chair of the Committee on Immunity, Klaus Wiefelspütz (SPD), that the SPD not involve itself in a judgment against Gysi as an informer for the Stasi. Wiefelspütz, however, informed the committee on Stolpe’s conversation with Struck.²⁵

Gysi then employed another Stolpe-tactic. Writing to the Committee on Immunity and in his interview with Spiegel magazine, Gysi denied any knowledge (keine Kenntnis) of contact between himself and the MfS’s office for foreign spying in the 1970’s. Gysi denied that he had violated the trust of prominent opposition leaders, namely, Rudolf Bahro und Robert Havemann, whom he represented as their attorney.²⁶

1996: The Evidence Against Gysi Goes Public

Gysi’s standing in the PDS declined. In January 1996, Gysi explained these differences as a consequence of the growing differences between top PDS leaders and the party base.²⁷ In

February, Spiegel magazine released documentation identifying Gysi as an “unofficial informer” for the MfS when lawyer for the defense in the GDR. According to Spiegel, these new materials included previously unknown reports of Gysi’s conversations with defendants, receipts, and a printed version of tape-recorded conversations under the code names’ “Notar” and “Gregor.” Although Gysi’s MfS registration numbers (“Notar”, number 5647/80, and as “Gysi, Gregor”, number 5647/80 -- with Gysi’s birthday, January 16, 1948, indicated as well) dated back into 1980, Gysi’s activities are documented back to September 1979 through Gysi’s own birthday on January 16, 1989, through various MfS lists, documents, and payment books. MfS sources identify Gysi as reporting on his sister’s (Gabriele) visit to Rudolf Bahro’s wife, Gundula, and West Berlin theologian Helmut Gollwitzer. Gollwitzer subsequently lost future permission to enter the GDR (Einreisesperre). With these new materials in hand, Der Spiegel considered its previous judgment regarding Gysi’s Stasi-life confirmed.²⁸

Among the evidence, Stasi-Major Günter Lohr’s tapes from May 13, 1986, coupled the code name “Notary” with Gysi during “a conversation, which occurred ... in Berlin in the Ermelerhaus between the correspondent of Der Spiegel ... and ... Gysi.” The conversation focused on harassment against the civil rights campaigner Wolfgang Templin ...” Additionally, these files included signed original receipts with payment records extending over a period of ten years including special presents exceeding 1000 marks. Gysi contests having received anything.²⁹

1997: Gysi Hangs On...

In January 1997, Gysi declined further participation on the PDS’s executive council during the PDS party convention in Schwerin. Gysi appeared to be on his way out of German political life. In March, the Gauck Commission's director, Peter Busse, delivered an additional thirty-page

report to the Committee on Immunity. Meeting with Lohr und Reuter both in his own home and secretly elsewhere (the safe-house "Ellen"), Gysi's relationship with the Stasi became a "ein dauerhaftes Verbindungssystem." Contrary to the first materials released by the Gauck Commission in 1995, the mountain of documentation exceeded one-thousand pages by early 1997 and includes pieces taken from the MfS's files on Rudolf Bahro, Robert Havemann und Bärbel Bohley. With respect to Bahro, "MfS-Unterlagen darauf schließen, daß Rechtsanwalt Dr. Gysi 'direkten Kontakt' zum MfS in Sachen Rudolf Bahro suchte, obgleich er zu diesem Zeitpunkt bereits über einen offiziellen Kontakt zum zuständigen MfS-Untersuchungsorgan, der HA IX, verfügte." A similar conclusion was drawn regarding Gysi's relationship with Robert Havemann. In conclusion, "Dr. Gysi hat in Planungen des MfS als verfügbar und einsetzbar gegolten."³⁰

Furthermore, MfS documents revealed Gysi's links to the Stasi preceded his service as "Gregor." Moving back into 1977, Klaus Gysi, East Germany's ambassador in Italy and Gregor's father, made known to the Stasi in a memorandum dated February 16, 1978, Gregor's personal interest in developing direct contacts with Rudolf Bahro. MfS documentation added that Gregor Gysi provided "inoffiziell detaillierte Erkenntnisse über ein vertrauliches Gespräch mit seinem Mandanten Rudolf Bahro." Additionally, Gysi provided information which the Stasi could have never otherwise received (as the MfS had only taped the conversation), namely, the contents of brief note which Gysi received from Bahro on December 2, 1978, during a conversation with Bahro in his prison cell in Bautzen.³¹

Conclusions

Gregor Gysi applied a lawyer's discipline in dodging accusations, threatening to put an end to his political career as well as his career as a lawyer. Bärbel Bohley's accusation demanded an

immediate and forceful response. Gysi won the case against Bohley largely as a result of the paucity of solid evidence based upon only a handful of MfS documents. As the Gauck Commission continued its research, Gysi moved the debate into a new forum, namely, the Constitutional Court. As a consequence, Gysi delayed the release of damaging information largely until 1996-1997 when the volume of documentation extended to well over one-thousand pages. Gysi had, however, the inadvertent assistance of the Gauck Commission, which released pieces of documentation rather than waiting until a quasi-complete picture of Gysi's cooperation with the Stasi could be documented to the satisfaction of the German court system.³²

The consequences of this debate are just now emerging. First, although Bohley's accusations against Gysi were well founded by East German standards, the documentation included only the public could not digest the full details of Gysi's cooperation with the Stasi. Consequently, Gysi emerged as a solid symbol of the former GDR and an integral part of the political establishment. Second, the Gauck Commission's inability to keep pace with political demands for a review of the evidence prolonged the conflict and furthered the societal rift. Third and finally, Gysi's successful weathering of the destazification process has not signaled the winding down of popular support for the rooting out of former Stasi spies despite Markus Wolf's ability romanticize life as a Stasi agent. As for Gysi, there are no lingering doubts today regarding his close cooperation with the MfS as something more than a simple unofficial informer -- or spy. Although there is clearly a lingering hope among some for action by the German political establishment, it appears more likely that Gysi will fade into political oblivion after the 1998 elections. In short, the governing CDU/CSU-F.D.P. coalition has no vested interest in alienating its support in the former territories of the GDR.³³

Endnotes

1. Die Inoffiziellen Mitarbeiter: Richtlinien, Befehle, Direktiven [I and II] (Bonn: Bundeszentrale für politische Bildung, 1992). These two volumes provide copies of all basic documents regulating the activities of the Stasi's "unofficial informers."
2. Justus Werdin, Herausgeber, Unter uns: Die Stasi. Berichte der Bürgerkomitees zur Auflösung der Staatssicherheit im Bezirk Frankfurt (Oder), (Berlin: Basis Druck, 1990), pp. 25-33. Helmut Herles and Ewald Rose, Vom Runden Tisch zum Parlament (Bonn: Bouvier, 1990). Konrad Jarausch, The Rush to Unity (1994), pp. 173-175. Erster Tätigkeitsbereich des Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik. Berlin: Der Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik 1993. Gesetz über die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik. Berlin: Der Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik 1994. Zweiter Tätigkeitsbereich des Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik. Berlin: Der Bundesbeauftragte für die Unterlagen der Staatssicherheitsdienstes des ehemaligen Deutschen Demokratischen Republik 1995.
3. Das Parlament, Nr. 3-4, 10-17 January 1992. Frankfurter Rundschau, 12 March 1992, "Commission to examine the eastern past" by Helmut Lölhöff. Berliner Zeitung, 12 March 1992. On April 21, 1994, the Deutsche Presse Agentur released its story on the activities of an Anita S., who served the Bishops of the Evangelical Church in Berlin-Brandenburg as secretary, reported to the Stasi for over 18 years. The story originated with the work of church historian Gerhard Besier.
4. Deutsche Presse Agentur, March 28, 1993. There is an interesting parallel between the question of Stasi gold and the American search for Nazi gold (from Jewish assets) in Swiss banks. See Die Zeit, Nr. 4, January 24, 1997.
5. Die Zeit, Nr. 46, November 15, 1991. Die Zeit, Nr. 52, December 27, 1991. Los Angeles Times, "World Report," January 21, 1992.
6. For additional information on Bahro and Havemann see Hermann Weber, DDR: Grundriß der Geschichte 1945-1990 (Hannover: Fackelträger Verlag, 1991), pp. 266, Hermann Weber, Geschichte der DDR (München: Deutscher Taschenbuch Verlag, 1986), p. 367, and Deutschland / Enquete-Kommission: Aufarbeiten von Geschichte und Folgen der SED-Diktatur in Deutschland, Materialien der Enquete-Kommission "Aufarbeiten von Geschichte und Folgen der SED-Diktatur in Deutschland" (Frankfurt am Main: Suhrkamp, 1995), pp. 583-585. These works make no reference to Gregor Gysi.
7. See Deutscher Bundestag - Abgeordnete under <http://www.bundestag.de/mdb/b.htm>.
8. Wer war wer -- DDR: ein biographisches Lexikon (Berlin: Ch. Links Verlag, 1992), pp. 159-60 and the Deutscher Bundestag (<http://www.bundestag.de/>). See Gregor Gysi, Uwe-Jens Heuer and Michael Schumann (eds.), Zweigeteilt. Über den Umgang mit der SED-Vergangenheit (Hamburg, 1992).

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9. Konrad H. Jarausch, *The Rush to German Unity* (New York: Oxford, 1994), pp. 83-84. *Wer war wer -- DDR: ein biographisches Lexikon* (Berlin: Ch. Links Verlag, 1992), p. 52.
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 11. *Berliner Zeitung*, January 20, 1995.
 12. Landesgericht Hamburg, "Urteil im Namen des Volkes. Geschäfts-Nr.: 324 0 729/94. Verkündet am: 19. Mai 1995. In der Sache Dr. Gregor Gysi, MdB...gegen Bärbel Bohley."
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 15. German News (GERMNEWS@LISTSERV.GMD.DE), December 12, 1995.
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 17. Reuters, June 1, 1995. Der Bundesbeauftragte für die Unterlagen des Staatssicherheitsdienstes der ehemaligen Deutschen Demokratischen Republik, "Az.: 11635/92 Z. Gutachterliche Stellungnahme zu in der Behörde des Bundesbeauftragten aufgefundenen Unterlagen, die mit Dr. Gregor Gysi im Zusammenhang stehen und Dokumentenanhang. Vorgelegt entsprechend den Auftrag des Deutschen Bundestages, Ausschuß für Wahlprüfung, Immunität und Geschäftsordnung vom 09. Februar 1995."
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 19. Letter of Halo Saibold, MdB, to FDP Bundestag Fraction, 02.06.1995. "Presseerklärung," Vera Lengsfeld, MdB, 31.05.95. "Pressemitteilung," Stephan Hilsberg, 01.06.95. Letter from Katja Havemann to Bärbel Bohley, June 1, 1995. Letter from Rudolf Bahro to *Der Spiegel*, June 5, 1995. Letter from Katja Havemann to Rudolf Bahro, June 6, 1995. "Pressemitteilung," F.D.P. Ortsverband Dahlem. "Pressemitteilung," Neues Forum, Bündnis 90/Die Grünen, Halle, 6.6.1995. "Presseerklärung," Neues Forum, Leipzig, 7. Juni 1995. "Presseerklärung," Autorenkreis der Bundesrepublik, Berlin, June 1, 1995. Letter from BStU [Zabel] to Bärbel Bohley, 6.6.1995, in response to her letter of 31.5.1995.
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 21. Manfred Stolpe, *Schwieriger Umbruch* (Berlin: Siedler, 1992). Deutsche Presse Agentur, April 30, 1994. Deutsche Presse Agentur, April 28, 1994. United Press International (Berlin), April 18, 1992. Deutsche Presse Agentur, April 16-29, 1994. Reuters World, April 13, 1994. *Der Spiegel*, January 6, 1997. *Der Spiegel*, January 27, 1997.
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 26. "Gysi: Neue Akten belegen Stasi-Mitarbeit," Der Spiegel, Nr. 46/96, p. 107. "Überprüfung der Stasi-Vergangenheit von Gysi," Der Spiegel, Nr. 45/96, p. 33. "Gysi: Prozeßkosten- Eintreibung von Bärbel Bohley," Der Spiegel, Nr. 23/96, p. 237.
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 30. "Verfügbar und einsetzbar," Der Spiegel, Nr. 13/24.3.97, pp. 32-33. "Gutachten: Gysi war der Stasi "dauerhaft verbunden" Gauck-Behörde nennt Beispiele / Bundestags-Immunitätsausschuß will Abschlußbericht vor Sommerpause vorlegen," Berliner Zeitung, June 14, 1997.
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